

**CHAPTER NO. 154**

**HOUSE BILL NO. 370**

**By Representatives Winningham, Hawk, Yokley**

**Substituted for: Senate Bill No. 513**

**By Senators Kilby, Norris, Burks**

AN ACT to amend Tennessee Code Annotated, Title 55, Chapter 9, relative to motor vehicles.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-9-402(d)(3), is amended by deleting the subdivision in its entirety and by substituting instead the following language:

(d)

(3) Any vehicle, other than a school bus, a passenger motor vehicle operated by a rural mail carrier of the United States postal service while performing the duties of a rural mail carrier or an emergency vehicle authorized by this section to display flashing red or red/white lights, or authorized law enforcement vehicles using red, white, and blue lights in combination, which displays any such lights shall be considered in violation of this provision.

SECTION 2. Tennessee Code Annotated, Section 55-9-402(a)(1), is amended by deleting the final sentence and by substituting instead the following language:

No non-emergency vehicle shall operate or install emergency flashing light systems such as strobe, wig-wag, or other flashing lights within the headlight assembly or grill area of the vehicle; provided, however, that a school bus may operate a flashing, wig-wag lighting system within the headlight assembly of the vehicle when the vehicle's visual stop signs are actuated for receiving or discharging school children.

SECTION 3. Tennessee Code Annotated, Section 55-9-402(e), is amended by deleting subdivision (1) in its entirety and by substituting instead the following language:

(e)

(1) Notwithstanding any provision of law to the contrary, nothing in this section shall prohibit a highway maintenance or utility vehicle, or any other type vehicle or equipment participating, in any fashion, with highway or utility construction, maintenance, or inspection from operating a white, amber, or white and amber light system on any location on such vehicle or equipment other than in the taillight lamp, stoplight area, or factory installed emergency flasher and backup light area, if such light system is a strobe, flashing, oscillating, or revolving system, while the vehicle or equipment is parked upon, entering or leaving any highway or utility construction, maintenance, repair or inspection site.

SECTION 4. Tennessee Code Annotated, Section 55-9-402(e), is amended by adding the following language as new subdivision (4):

(4) Nothing in this subsection imposes any duty or obligation to install or utilize the lighting systems allowed herein.

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: April 28, 2005

  
JIMMY NAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

APPROVED this 9th day of May 2005

  
PHIL BREDESEN, GOVERNOR